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16
17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 BRIAN BORENSTEIN, an individual,
20 Plaintiff,

21 vs.

22 THE ANIMAL FOUNDATION, a domestic
nonprofit corporation; COUNTY OF CLARK, a
23 political subdivision of the State of Nevada;
CARLY SCHOLTEN, an individual; VICTOR
24 ZAVALA, an individual; and ROE BUSINESS
25 ENTITIES 1-5; and DOE INDIVIDUALS 1-5,
26 Defendants.

Case No.: 2:19-cv-00985-CDS-NJK

**ORDER TO
RESCHEDULE DEPOSITION OUTSIDE
THE DISCOVERY DEADLINE**

[SECOND REQUEST]

27 Plaintiff, BRIAN BORENSTEIN, by and through his counsel, Raelene K. Palmer, Esq. of The
28 Palmer Law Firm, P.C., Robert S. Melcic, Esq., and Richard E. Retamar, Esq. of Retamar & Millian,

1 P.A., and Defendants, COUNTY OF CLARK ("Clark County") and VICTOR ZAVALA, by and
2 through their counsel, Jonathan D. Blum, Esq., of the law firm Wiley Petersen, THE ANIMAL
3 FOUNDATION and CARLY SCHOLTEN, by and through their counsel, Brad Lipman, Esq., of the
4 law firm Reid Rubinstein & Bogatz, hereby stipulate and request the Court to allow a deposition,
5 originally scheduled for July 6, 2023, to be taken outside the Discovery Deadline of July 7, 2023.

6 Since this Court issued its Order on Plaintiff's Motion to extend discovery deadlines, (ECF No.
7 320), the parties have been working to schedule and complete five depositions. Two of the five
8 depositions have been completed in the states of Illinois and Florida, respectively, as follows:

9 Carly Scholten June 29, 2023

10 Brian Borenstein July 3, 2023

11 Additional depositions are scheduled and approved by the Court to be taken, (ECF No. 325), as
12 follows:

13 The Animal Foundation 30(b)(b) July 24, 2023

14 Victor Zavala July 27, 2023.

15 The deposition of Clark County 30(b)(6) was noticed and set to proceed on July 6, 2023, but counsel
16 for Plaintiff had a veterinary emergency and had to vacate the deposition. Thus, the parties had to find
17 new dates available for the deponent and all counsel. As such, the parties stipulate, and seek Court
18 approval, to conduct the remaining deposition on August 7, 2023.

19 All parties agree to the above dates, however, following Plaintiff's counsel's emergency and
20 due to the difficulties in coordinating numerous schedules and scheduling conflicts, this deposition
21 could not be rescheduled before August 2023. As such, they seek court approval to conduct the
22 remaining deposition as outlined above.

23 This stipulated extension is for good cause, and not for improper delay.

24 **NO FURTHER EXTENSIONS WILL BE GRANTED.**

25 **ORDER**

26 **IT IS SO ORDERED.**

27 
UNITED STATES MAGISTRATE JUDGE

28 Dated: July 17, 2023